

**REMARKS**

This Amendment and the following remarks are intended to fully respond to the Restriction/Election Requirement contained in the April 27, 2007 Office Action. In that Office Action, claims 1-25 were examined, and all claims were made subject to a restriction and/or election requirement. Specifically, the Examiner stated as follows:

Group I. Claims 1-9 and 18-22 are drawn to a utility that controls access to distinct tiers of system protection, classified in class 713, subclass 166.

Group II Claims 10-14 are drawn to mutual entity authentication, classified in class 713, subclass 139.

Group III Claims 15-17 and 23-25 are drawn to initialization program, classified in class 713, subclass 2.

While the Applicant respectfully traverses the requirement for restriction and requests reconsideration of this requirement, the Applicant provisionally elects Group I, i.e., claims 1-9 and 18-22 for prosecution. The Applicant therefore provisionally cancels claims 10-17 and 23-25 without prejudice, the cancellation of which shall take effect in the event the Examiner's restriction requirement becomes final. The Applicant reserves the right to file divisional applications or continuation applications on the cancelled claims or claims related to the cancelled claims at a later date.

**Conclusion**

This Amendment fully responds to the Office Action Restriction/Election Requirement mailed on April 27, 2007. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they were rendered moot in light of the preceding arguments in favor of patentability. Hence, the failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may contain other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the

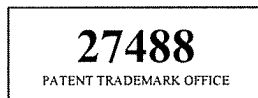
art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above provisional election and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Date: May 24 2007



A handwritten signature in black ink, appearing to read "Tadd F. Wilson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tadd F. Wilson, Reg. No. 54,544  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
303.357.1651